

just inquisitive outsider, will find a sport in which physical courage is admired, family bonds are treasured, the nation's flag is honored, and the proper point of balance between courteous restraint and necessary aggression is constantly debated. I greatly enjoyed my day at the races. If NASCAR fans really do form a voting bloc, I would much rather they were on my side than the other. I am glad to have made the acquaintance of a thrilling, noisy, colorful, commercial, very American sport.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Con. Res. 320 and commend the gentleman from Florida (Mr. FEENEY) for introducing this legislation.

Since March 26, 1903, when the first automobile race was held on a beach in Volusia County, Florida, motorsports races have been held in every American State. Millions of Americans enjoy the excitement and speed of motorsports brought to them by such organizations as the Championship Auto Racing Teams, Grand American Road Racing, Indy Racing League, the Sports Club of America, the National Association of Stock Car Automobile Racing, and others.

The research and development of vehicles used in motorsports competition contribute to the improvement of safety and technology of motor vehicles used by the general public. Additionally, motorsports activities contribute millions of dollars to local and State economies as well as to the national economy.

As America continues to grow and develop and as we continue to exercise our creativity and ingenuity, and as we find additional ways for recreation, many people are beginning to view this as not only a spectator sport but also something that they would learn to participate in themselves.

Again I commend the gentleman from Florida (Mr. FEENEY) for introducing this resolution and urge its swift passage.

Mr. Speaker, I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 320.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

# AWARDING CONGRESSIONAL GOLD MEDALS POSTHUMOUSLY ON BEHALF OF REVEREND JOSEPH A. DELAINE, HARRY AND ELIZA BRIGGS, AND LEVI PEARSON IN RECOGNITION OF THEIR CONTRIBUTIONS TO BROWN V. BOARD OF EDUCATION

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3287) to award congressional gold medals posthumously on behalf of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson in recognition of their contributions to the Nation as pioneers in the effort to desegregate public schools that led directly to the landmark desegregation case of *Brown et al. v. the Board of Education of Topeka et al.*

The Clerk read as follows:

H.R. 3287

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. FINDINGS.

The Congress finds as follows:

(1) The Reverend Joseph Armstrong DeLaine, one of the true heroes of the civil rights struggle, led a crusade to break down barriers in education in South Carolina.

(2) The efforts of Reverend DeLaine led to the desegregation of public schools in the United States, but forever scarred his own life.

(3) In 1949, Joseph DeLaine, a minister and school principal, organized African-American parents in Summerton, South Carolina, to petition the school board for a bus for black students, who had to walk up to 10 miles through corn and cotton fields to attend a segregated school, while the white children in the school district rode to and from school in nice clean buses.

(4) In 1950, these same parents, including Harry and Eliza Briggs, sued to end public school segregation in *Briggs et al. v. Elliott et al.*, one of 5 cases that collectively led to the landmark 1954 Supreme Court decision of *Brown et al. v. Board of Education of Topeka et al.*

(5) Because of his participation in the desegregation movement, Reverend DeLaine was subjected to repeated acts of domestic terror in which—

(A) he, along with 2 sisters and a niece, lost their jobs;

(B) he fought off an angry mob;

(C) he received frequent death threats; and

(D) his church and his home were burned to the ground.

(6) In October 1955, after Reverend DeLaine relocated to Florence County in South Carolina, shots were fired at the DeLaine home, and because Reverend DeLaine fired back to mark the car, he was charged with assault and battery with intent to kill.

(7) The shooting incident drove him from South Carolina to Buffalo, New York, where he organized an African Methodist Episcopal Church.

(8) Believing that he would not be treated fairly by the South Carolina judicial system if he returned to South Carolina, Reverend DeLaine told the Federal Bureau of Investigation, "I am not running from justice but injustice", and it was not until 2000 (26 years after his death and 45 years after the incident) that Reverend DeLaine was cleared of all charges relating to the October 1955 incident.

(9) Reverend DeLaine was a humble and fearless man who showed the Nation that all people, regardless of the color of their skin,

deserve a first-rate education, a lesson from which the Nation has benefited immeasurably.

(10) Reverend DeLaine deserves rightful recognition for the suffering that he and his family endured to teach the Nation one of the great civil rights lessons of the last century.

(11) Like the Reverend DeLaine and Harry and Eliza Briggs, Levi Pearson was an integral participant in the struggle to equalize the educational experiences of white and black students in South Carolina.

(12) Levi Pearson, with the assistance of Reverend Joseph DeLaine, filed a lawsuit against the Clarendon County School District to protest the inequitable treatment of black children.

(13) As a result of his lawsuit, Levi Pearson also suffered from acts of domestic terror, such as the time gun shots were fired into his home, as well as economic consequences: local banks refused to provide him with credit to purchase farming materials and area farmers refused to lend him equipment.

(14) Although his case was ultimately dismissed on a technicality, Levi Pearson's courage to stand up for equalized treatment and funding for black students served as the catalyst for further attempts to desegregate South Carolina schools, as he continued to fight against segregation practices and became President of Clarendon County Chapter of the NAACP.

(15) When Levi Pearson's litigation efforts to obtain equalized treatment and funding for black students were stymied, Harry and Eliza Briggs, a service station attendant and a maid, continued to fight for not only equalized treatment of all children but desegregated schools as well.

(16) As with Reverend DeLaine and Levi Pearson, the family of Harry and Eliza Briggs suffered consequences for their efforts: Harry and Eliza both were fired from their jobs and forced to move their family to Florida.

(17) Although they and their family suffered tremendously, Harry and Eliza Briggs were also pioneers leading the effort to desegregate America's public schools.

## SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—In recognition of the contributions of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson to the Nation as pioneers in the effort to desegregate public schools that led directly to the landmark desegregation case of *Brown et al. v. the Board of Education of Topeka et al.*, the Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design, to Joseph De Laine, Jr., as next of kin of Reverend Joseph A. DeLaine, and to the next of kin or other personal representative of Harry and Eliza Briggs and of Levi Pearson.

(b) DESIGN AND STRIKING.—For the purposes of the awards referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall strike 3 gold medals with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

## SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medals struck pursuant to section 2, under such regulations as the Secretary may prescribe, and at a price sufficient to cover the costs thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medals.

## SEC. 4. STATUS AS NATIONAL MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for

purposes of chapter 51 of title 31, United States Code.

(b) **NUMISMATIC ITEMS.**—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

#### SEC. 5. FUNDING.

(a) **AUTHORITY TO USE FUND AMOUNTS.**—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the cost of the medals authorized by this Act.

(b) **PROCEEDS OF SALE.**—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. **BIGGERT**) and the gentlewoman from Indiana (Ms. **CARSON**) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois (Mrs. **BIGGERT**).

#### GENERAL LEAVE

Mrs. **BIGGERT**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to insert extraneous material on this legislation.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. **BIGGERT**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to express strong support for H.R. 3287, which seeks to award the Congressional Gold Medal to each of four Americans closely associated with the landmark *Brown v. Board of Education of Topeka* Supreme Court ruling that led to desegregation of our Nation's schools. I commend the gentleman from South Carolina (Mr. **CLYBURN**) for introducing this legislation.

This bill seeks to award this body's highest civilian honor posthumously to four courageous Americans. They are the Reverend Joseph A. DeLaine, Levi Pearson, and Henry and Elizabeth Briggs. Given the time required to design and strike the medals, these medals should be ready for an awards ceremony next year, which is fitting as next year is the 50th anniversary of the *Brown v. Board of Education* decision.

Mr. Speaker, we all know the names of many of the civil rights movement's greatest leaders, and we know their stories well; but not everyone knows well the names of those whose courageous actions led to the *Brown v. Board of Education* decision and precipitated the desegregation of our schools throughout America. The legislation we consider here today would rectify that situation. Through this Congressional Gold Medal, we honor the stories, the bravery and the memories of these fine Americans.

Reverend DeLaine was a minister and a school principal. In 1947, he organized a petition drive for African American parents to get a school bus so their children would not have to walk up to 10 miles to and from school while white

children were driven to their schools in buses. The request was denied.

The next year, 1948, Levi Pearson, a farmer whose three children had to walk 9 miles to school each day, filed a lawsuit against the Clarendon County, South Carolina School District that protested unequal treatment of and funding for black and white students. While the suit was dismissed on a technicality, it served as a catalyst to further efforts to desegregate South Carolina schools.

And in 1949, Henry and Elizabeth Briggs, along with many of the same parents who joined in the original petition for a bus, sued to end public school segregation in *Briggs v. Elliott*.

□ 2100

This was the first of the five cases to be filed, and all were eventually merged together to become the Supreme Court's 1954 *Brown v. Board of Education of Topeka* decision. Taken separately, each of these individuals contributed considerably to the civil rights movement and to the breakdown of racial barriers in education. Taken together, their accomplishments are enormous. These individuals were pioneers in desegregation. They suffered and made great personal sacrifices, risking their lives, jobs, and homes to ensure that all children are educated equally and together, regardless of the color of their skin.

Mr. Speaker, these individuals deserve our recognition for their courage, and I urge immediate passage of this legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. **CARSON** of Indiana. Mr. Speaker, I yield myself such time as I may consume.

I would like to thank the gentleman from South Carolina (Mr. **CLYBURN**) for sponsoring the bill. I also would like to thank the gentleman from Ohio (Mr. **OXLEY**) and the gentleman from Massachusetts (Mr. **FRANK**) for allowing this bill to come to the floor today.

Mr. Speaker, H.R. 3287 gives honor to whom honor is due. It provides Congressional Gold Medals to the Reverend Joseph DeLaine, Levi Pearson, and Harry and Eliza Briggs.

Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. **CLYBURN**), the creator and inspirator of this legislation.

Mr. **CLYBURN**. Mr. Speaker, I thank the gentlewoman from Indiana for yielding me this time and the gentlewoman from Illinois for her assistance with this effort. I also want to thank Speaker **HASTERT** and Leader **PELOSI** for their assistance in expediting this very important piece of legislation. I am also thankful to Chairman **OXLEY** and Ranking Member **FRANK** for their leadership in this matter. It is very difficult to find proper words to convey to the 298 cosponsors of this bill my appreciation of the bipartisan support and genuine courtesies extended to me throughout this effort.

Mr. Speaker, I am also grateful to Senator **FRITZ HOLLINGS** for his sponsorship of similar legislation in the other body and his 99 colleagues who gave his bill a unanimous vote. I am hopeful this body will do likewise.

Mr. Speaker, as we approach the 50th anniversary of *Brown v. Board of Education of Topeka, Kansas*, it is indeed an honor to stand in the Halls of the United States House of Representatives to commemorate the dedication and courage of four South Carolinians who initiated the effort to desegregate public school education in South Carolina and the Nation.

Reverend Joseph Armstrong DeLaine organized the original 106 petitioners, 18 of whom and two others made up the original 20 plaintiffs in *Briggs v. Elliott*, the first of the five cases that were merged and became *Brown v. Board of Education of Topeka, Kansas*. I now submit the names of all of those petitioners into the **RECORD** of these proceedings this evening.

#### BRIGGS V. ELLIOT

South Carolinians who signed a petition to the Board of Trustees for Clarendon County School District #22 demanding equal educational opportunities for African-Americans. The petition was submitted on November 11, 1949.

1. Harry Briggs\*
2. Eliza Briggs
3. Harry Briggs, Jr.
4. Thomas Lee Briggs
5. Katherine Briggs
6. Thomas Gamble
7. Henry Brown
8. Thelma Brown
9. Vera Brown
10. Beatrice Brown
11. Willie Brown
12. Marian Brown
13. Ethel Mae Brown
14. Howard Brown
15. James Brown
16. Theola Brown
17. Thomas Brown
18. Euralia Brown
19. Joe Morris Brown
20. Onetha Bennett\*
21. Hercules Bennett
22. Hilton Bennett
23. William Gibson
24. Annie Gibson\*
25. William Gibson Jr.
26. Maxine Gibson
27. Harold Gibson
28. Robert Georgia\*
29. Carrie Georgia
30. Charlie Georgia
31. Jervine Georgia
32. Gladys Hilton
33. Joseph Hilton
34. Lila Mae Huggins
35. Celestine Huggins
36. Juanita Huggins
37. Gussie Hilton
38. Roosevelt Hilton
39. Thomas Johnson
40. Blanche E. Johnson
41. Lillie Eva Johnson
42. Rubie Lee Johnson
43. Betty J. Johnson
44. Bobby M. Johnson
45. Preston Johnson Jr.
46. Susan Lawson\*
47. Raymond Lawson
48. Eddie Lee Lawson
49. Susan Ann Lawson
50. Frederick Oliver\*
51. Willie Oliver

52. Mary Oliver\*  
 53. Mose Oliver\*  
 54. Leroy Oliver  
 55. Mitchel Oliver  
 56. Bennie Parson Jr.\*  
 57. Plummie Parson  
 58. Celestine Parson  
 59. Edward Ragin\*  
 60. Sarah Ragin  
 61. Shirley Ragin  
 62. Deloris Ragin  
 63. Hazel Ragin\*  
 64. Zelia Ragin  
 65. Sarah Ellen Ragin  
 66. Rebecca Ragin  
 67. Mable Ragin  
 68. William Ragin\*  
 69. Glen Ragin  
 70. Luchriser Richardson\*  
 71. Elane Richardson  
 72. Emanuel Richardson  
 73. Rebecca Richburg\*  
 74. Rebecca I. Richburg  
 75. E.E. Richburg  
 76. Albert Richburg  
 77. Lee Johnson  
 78. Bessie Johnson  
 79. Morgan Johnson  
 80. Samuel Gary Johnson  
 81. Lee Richardson\*  
 82. James Richardson  
 83. Charles Richardson  
 84. Annie L. Richardson  
 85. Dorothy Richardson  
 86. Jackson Richardson  
 87. Mary O. Lawson  
 88. Francis Lawson  
 89. Bennie Lee Lawson  
 90. Mary Oliver  
 91. Daisy Oliver  
 92. Louis Oliver Jr.  
 93. Esther F. Singleton  
 94. Janie Fludde  
 95. Henry Scott\*  
 96. Mary Scott  
 97. Irene Scott  
 98. Willie M. Stukes\*  
 99. Gardenia Stukes  
 100. Willie M. Stukes Jr.  
 101. Gardenia Stukes  
 102. Louis W. Stukes  
 103. Gabriel Tyndal\*  
 104. Annie Tyndal  
 105. Mary L. Bennett  
 106. Lillian Bennett

\*Indicates those who served as named plaintiffs in the case of Briggs v. Elliott. Plaintiff's also included James H. Bennett and G. H. Henry.

At the time of their petition, black children in Clarendon County were walking 9 miles each way to school, and all they petitioned for was a school bus. When their request for a bus was denied, they sought relief in the courts. Reverend DeLaine was harassed by the Ku Klux Klan and several attempts were made on his life. His church was burned and when he responded in kind to gunshots that were fired into his home in 1955, law enforcement officials issued a warrant for Reverend DeLaine's arrest. Fearing the consequences, he and his family fled the State.

In 1971, Governor John C. West received a letter from Reverend DeLaine advising that his health was failing and requesting that he be allowed to return to South Carolina where he wished to be buried. Governor West tasked me with the responsibility of getting it done. We failed, because one of the men who signed the arrest warrant refused

the Governor's and law enforcement officials' requests that he drop the charges. In 2000, the South Carolina legislature cleared Reverend DeLaine's record, but much too late to honor his request. Reverend DeLaine died in 1974 and is buried in Charlotte, North Carolina.

Levi Pearson was a small Clarendon County farmer. He responded to Reverend DeLaine's request and sued the school district on behalf of his three children who were walking those 9 miles to school each day. His decision was met with dire consequences. The local bank refused to provide him credit to purchase farming equipment and other farmers refused to lend him any equipment. Shots were fired into his home and he was ostracized by his neighbors. Despite these actions, Pearson continued with his suit. But in 1948, the United States District Court dismissed Pearson's suit, finding that although his farm was partially in Clarendon School District 1, his house was situated in Clarendon School District 2; and therefore he had no standing. Although his legal case was dismissed, Pearson continued to fight against segregation and later became president of the local NAACP chapter. In spite of extreme hardships, he never left his land.

Harry Briggs, a service station attendant, and his wife, Eliza, a maid at a local motel, took up the cause. As did Levi Pearson and Reverend DeLaine, they suffered inhumane consequences for their actions. They were fired from their jobs but they persevered, and as is often said, the rest is history. Because he was blackballed in South Carolina and could not find employment, Harry moved to Florida where he lived out his productive life. Unlike Reverend DeLaine, he returned to South Carolina and is buried in his native soil.

Every year on the Friday evening nearest May 17, the South Carolina conference of branches of the NAACP holds its annual Freedom Fund dinner in honor of the Briggs petitioners. And ever since I have been a Member of this body, pictures of Mrs. DeLaine and other principals in the case have been prominently displayed on a wall of my office.

Mr. Speaker, if not for the personal sacrifices of those like Reverend DeLaine, Mr. Pearson, the Briggses and many others known and unknown, I and others like me may have never experienced membership in this body. This bill reminds us that it is the actions of a preacher and educator, a farmer, a gas station attendant, and a motel maid that initiated the efforts that changed American society forever. I hope that our actions here tonight remind all Americans that it is not our station in life that makes us worthy of honor and recognition, but our commitment to the principles and pursuit of the promise that all men are created equal, that they are endowed by their Creator with certain unalienable

rights, that among these are life, liberty, and the pursuit of happiness.

Mrs. BIGGERT. Mr. Speaker, I reserve the balance of my time.

Ms. CARSON of Indiana. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT), the very bright and energetic ranking member of the Committee on the Budget.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in proud support of H.R. 3287, which honors four South Carolina heroes. Because of the courage of Joseph A. DeLaine, Harry Briggs, Eliza Briggs and Levi Pearson, South Carolinians live in a better State; but more important, Americans live in a better country. I can think of no tribute to these brave South Carolinians more deserving or appropriate than a Congressional Gold Medal.

I have the same story to tell that the gentleman from South Carolina (Mr. CLYBURN) just told, but I cannot possibly tell it with the same empathy that he related it, so I will not rehearse the facts that we have just heard, which are stirring. I will enter those for the RECORD.

Let me simply say that, Mr. Speaker, I have lived all my life in South Carolina. I can imagine the resistance and intimidation that Joseph DeLaine and Levi Pearson and Harry and Eliza Briggs faced. These brave Americans stood up for justice, and for their courage they paid a heavy price. Today we remember Dr. Martin Luther King and Thurgood Marshall, and we should. They were the giants of the civil rights movement. But without brave pioneers, foot soldiers like Joseph A. DeLaine, Levi Pearson, and Harry and Eliza Briggs, our schools would not have been desegregated in 1954. The Civil Rights Act of 1964 and 1965 may have been passed but not in those years. They sparked those events.

I commend the gentleman from South Carolina (Mr. CLYBURN) for conceiving and spearheading this resolution. I ask that all Members of the House join us in voting to award Congressional Gold Medals posthumously to the Reverend DeLaine, to Mr. and Mrs. Harry Briggs, and to Mr. Levi Pearson. In the words of Dr. King, they made this country rise up and live out the true meaning of its creed, that all men are created equal.

Mr. Speaker, I rise in proud support of H.R. 3287, honoring four South Carolina heroes. Because of the courage of Joseph DeLaine, Harry Briggs, Eliza Briggs, and Levi Pearson, South Carolinians live in a better state and Americans live in a better country. I can think of no tribute to these brave South Carolinians more deserving or appropriate than a Congressional Gold Medal.

In 1949–50, there were 6,531 black students enrolled in the Clarendon County public schools and 2,375 whites. The schools were separate and unequal. Clarendon County that

year spent \$179 per white student and \$43 per black student. Reverend Joseph DeLaine was a teacher in Clarendon County. He attended a statewide meeting of the NAACP and heard the president decry segregation and lay down a challenge saying, "No teacher or preacher in South Carolina has the courage to find a plaintiff who will test the legality of discriminatory bus transportation." The Reverend DeLaine was moved to action. He went to the Clarendon County School Board to ask for a bus to carry children to and from Scotts Branch High School. He pointed out that bus service was available to white students at other county schools, and asked simply for the same bus service for black students attending Scotts Branch. When he was turned down, he appealed to the State Superintendent of Education in Columbia and the U.S. Attorney General, all to no avail. Reverend DeLaine then enlisted Levi Pearson, a farmer with children at Scotts Branch, to be plaintiff in a lawsuit against the Clarendon County Board of Education. Levi Pearson v. County Board of Education was brought but dismissed in 1948 on a technicality. Levi Pearson's farm straddled the school district boundary, and his home was held to be outside the school district's boundary. The court ruled that Pearson had no standing, and dismissed his suit.

Undaunted, Reverend DeLaine, worked with the NAACP to draft a new petition to the State Board of Education seeking not just school buses, but educational equality across the board for all black students in Clarendon County. A petition with the necessary signatures was presented to the board. The first name listed was Harry Briggs, a service station attendant in Summerton, South Carolina. In retribution, Reverend DeLaine was fired from his job at Scotts Branch, and Harry Briggs lost his service station job. The state school board refused to act.

Reverend DeLaine then sought the assistance of the NAACP Legal Defense Fund, and in particular a lawyer by the name of Harold Boulware in Columbia. Boulware, with the assistance of Thurgood Marshall, took the case and filed a new suit, Briggs v. Elliott, seeking equal educational opportunities for all black students in Clarendon County. By a 2-1 vote, a three-judge panel denied the plaintiffs in Briggs v. Elliott the relief they were seeking. Judge Waties Waring, another unsung hero, wrote a dissenting opinion in favor of the plaintiffs. Briggs v. Elliott was appealed to the Supreme Court, and eventually consolidated with four other cases, the first of which was Brown v. Board of Education of Topeka, Kansas.

Reverend DeLaine was in the Supreme Court's courtroom for the argument of Brown v. Board of Education. A reporter quoted him as saying: "There were times when I thought I would go out of my mind because of this case, but if I had to do it again, I would. I feel it was worth it. I have a feeling that the Supreme Court is going to end segregation."

He was not only brave but prescient. In 1954, a unanimous Supreme Court vindicated the efforts of the Reverend Joseph A. DeLaine with its unanimous decision in Brown v. Board of Education. It was a bittersweet victory for Reverend DeLaine. Forced out of Clarendon County on charges arising out of a confrontation with whites who threatened his home at night, he moved to Charlotte, North Carolina where he founded a church. Because of the

outstanding warrant, he was effectively exiled from South Carolina and never able to return to Clarendon County.

Mr. Speaker, I have lived all my life in South Carolina and I can imagine the resistance and intimidation that Joseph DeLaine, Levi Pearson, and Harry and Eliza Briggs faced. These brave Americans stood up for justice and for their courage, they paid a heavy price. Today we remember Dr. Martin Luther King and Thurgood Marshall, as we should; they were the giants of the civil rights movement. But without brave pioneers like Joseph DeLaine, Levi Pearson, Harry and Eliza Briggs, our schools would not have been desegregated and the Civil Rights Acts of 1964 and 1965 would not have been passed.

I commend Congressman CLYBURN for conceiving and spearheading this resolution, and I ask that all members of this House join us in voting to award Congressional gold medals posthumously to the Reverend DeLaine, to Mr. and Mrs. Harry Briggs, and to Mr. Levi Pearson. In the words of Dr. King, they made this country "rise up and live out the true meaning of its creed, that all men are created equal."

Mrs. BIGGERT. Mr. Speaker, I reserve the balance of my time.

Ms. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Eleanor Roosevelt said, "When will our consciences grow so tender that we will act to prevent human misery rather than avenge it?" I recall the words of Chief Justice Earl Warren who said, "It is the spirit and not the form of law that keeps justice alive." I want to commend the sponsors of this legislation for their foresight and insight.

The court action of Briggs v. Elliott in South Carolina to end public school segregation was a major component in the successful Brown v. Board of Education Supreme Court ruling which effectively struck down the so-called separate but equal. It is this "spirit of the law" that preceded Brown v. Board of Education in the form of Briggs v. Elliott. Before Briggs v. Elliott was Plessy v. Ferguson. Before Plessy were the 13th and the 14th amendments.

And so, Mr. Speaker, I would encourage each Member of this body to give proper honor to whom honor is due by supporting unanimously this legislation that will authorize the Congressional Gold Medal to these deserving citizens of the United States.

Mr. Speaker, I yield back the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Let me again commend the gentleman from South Carolina (Mr. CLYBURN) for sponsoring H.R. 3287 and Chairman OXLEY and Ranking Member FRANK of the Committee on Financial Services for their support of this legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEARCE). The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 3287.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 2115

## NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE ACT

Mr. NEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3491) to establish within the Smithsonian Institution the National Museum of African American History and Culture, and for other purposes.

The Clerk read as follows:

H.R. 3491

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Museum of African American History and Culture Act".

### SEC. 2. FINDINGS.

Congress finds that—

(1) since its founding, the United States has grown into a symbol of democracy and freedom around the world, and the legacy of African Americans is rooted in the very fabric of the democracy and freedom of the United States;

(2) there exists no national museum within the Smithsonian Institution that—

(A) is devoted to the documentation of African American life, art, history, and culture; and

(B) encompasses, on a national level—

(i) the period of slavery;

(ii) the era of Reconstruction;

(iii) the Harlem renaissance;

(iv) the civil rights movement; and

(v) other periods associated with African American life, art, history, and culture; and

(3) a National Museum of African American History and Culture would be dedicated to the collection, preservation, research, and exhibition of African American historical and cultural material reflecting the breadth and depth of the experiences of individuals of African descent living in the United States.

### SEC. 3. DEFINITIONS.

In this Act:

(1) BOARD OF REGENTS.—The term "Board of Regents" means the Board of Regents of the Smithsonian Institution.

(2) COUNCIL.—The term "Council" means the National Museum of African American History and Culture Council established by section 5.

(3) MUSEUM.—The term "Museum" means the National Museum of African American History and Culture established by section 4.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Smithsonian Institution.

### SEC. 4. ESTABLISHMENT OF MUSEUM.

(a) ESTABLISHMENT.—There is established within the Smithsonian Institution a museum to be known as the "National Museum of African American History and Culture".

(b) PURPOSE.—The purpose of the Museum shall be to provide for—

(1) the collection, study, and establishment of programs relating to African American life, art, history, and culture that encompass—

(A) the period of slavery;

(B) the era of Reconstruction;

(C) the Harlem renaissance;